

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40735 of 2014

Arising Out of PS.Case No. -242 Year- 2014 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

- =====
1. Krishna Chouhan Son of Late Lochan Chouhan
 2. Sant Chouhan
 3. Mehka Chouhan Both sons of Krishna Choudhary All are Resident of Village- Poona, Nonia Bigha Tola, P.S.- Hilsa, District- Nalanda

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vibhuti Ranjan Sonvadra, Advocate.

For the Opposite Party : Mr. Md.Sufiyan(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-05-2015 Heard both sides.

The petitioners apprehend their arrest in Hilsa P.S. Case No. 242 of 2014, registered for the offences punishable under Section 379 and other Sections of the Indian Penal Code and Section 3 of the Witch Craft Prevention Act.

Ramrati Devi the informant alleged that the petitioners came and began to abuse her and they started breaking the tube well. She further alleged that the petitioners assaulted her with fists, slaps and bricks and also alleged that the informant is a witch.

It is submitted that the supervising authority found the allegation made under Section 379 of the Indian Penal Code false.

The case is compromised. Other offences are bailable.

It appears that the informant has made very specific allegation against the petitioners. During the course of investigation some of the witnesses have, of course, stated that the petitioner did not make any allegation of witch against the informant, but the informant and other witnesses have alleged that the petitioners assaulted the informant an old lady alleging her witch.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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